

FILED

March 13, 2024

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: SAJ
Deputy

UNITED STATES OF AMERICA,

Plaintiff,

V.

JOSE ABEL HERNANDEZ MEJIA,

Defendant.

§ CRIMINAL NO. **DR:24-CR-00513-AM**

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INDICTMENT

COUNT ONE: 18 U.S.C. § 554, Smuggling
Goods from the United States

FORFEITURE

THE GRAND JURY CHARGES:

COUNT ONE
(18 U.S.C. § 554)

INTRODUCTION

At all times relevant to this Indictment:

1. The Commerce Control List (“CCL”), located at Title 15, Code of Federal Regulations, Section 774, details commodities, software, and technology subject to control by the United States Department of Commerce, Bureau of Industry and Security pursuant to the Export Control Reform Act, Title 50, United States Code, Chapter 58.
2. The CCL is part of the Export Administration Regulations (“EAR”), located at Title 15, Code of Federal Regulations, Section 730 *et seq.*
3. Firearms are designated as controlled items in Section 774, Appendix Supplement Number 1 of the CCL.
4. Ammunition is designated as controlled item in Section 774, Appendix Supplement Number 1 of the CCL.
5. According to Title 15, Code of Federal Regulations, Section 736.2, a person may not export an item subject to the EAR to another country if exporting that item to that country requires a license.
6. Exportation of firearms and ammunition to Mexico requires a license.

7. Defendant JOSE ABEL HERNANDEZ MEJIA did not have a license or any authority to export firearms or ammunition out of the United States to Mexico.

That on or about February 16, 2024, in the Western District of Texas, Defendant,

JOSE ABEL HERNANDEZ MEJIA,

knowingly and unlawfully concealed, bought, or facilitated the transportation and concealment of any merchandise, article and object, prior to exportation, knowing the same to be intended for exportation from the United States, contrary to any law or regulation of the United States, to-wit:

- a Century Arms WASR 10 AK-47 (S/N: A198535),
- a Radom Hell Pup AK-47 (S/N: PAC23PL17059),
- a WASR 10 AK-47 (S/N: 1971CR3705),
- a Riley Defense RAK47 AK-47 (S/N: B54883),
- a Zastava Arms Zpapmo AK-47: (S/N: 1Z70122144),
- a Century Arms VSKA AK-47 (S/N: SV7024583),
- a Smith & Wesson 96A1 Berreta .40 caliber handgun (S/N: A76414M),
- a Riley Defense RAK47 AK-47 (S/N: B58200),
- a Century Arms VSKA AK-47 (S/N: SV7119799),
- a Riley Defense RAK47 Ak-47 (S/N: B58310),
- a Inter Arms AKM AK-47 (S/N: PAC1160183),
- a Beretta 92FS 9-millimeter handgun (S/N: BER847693),
- a Beretta 92x 9-millimeter handgun (S/N: 92x0083113),
- a Century Arms VSKA rifle (S/N: A1-96426),
- a Palmetto State Armory PSAK47 AK-47 (S/N: AKB085863),
- a Century Arms VSKA rifle (S/N: SV7100459),
- a Century Arms VSKA rifle (S/N: SV7086554),
- a GSG MP40 9-millimeter handgun (S/N: A984271)
- a Texas Weapons Systems NDS-1 rifle (S/N: F012465),
- a Soviet Arms SA-47 rifle (S/N: SA47008001),

a Browning Challenger III .22LR caliber pistol (S/N: 655pw02748),
a Winchester Hunter .243 caliber rifle (S/N: 61-06-042813-18),
a American Tactical 1911 .45 caliber handgun (S/N: ML115084),
a Keltec P17 .22LR caliber handgun (S/N: 23G4536),
a Silber Eagle RZ17 12-gauge shotgun (S/N: 19P1091); and,
a Keltec PMR 30 .22LR caliber handgun (S/N: WwS34)

which are controlled items as defined in the CCL, and the Defendant had not received a license or authorization for such export, in violation of Title 50, United States Code, Section 4819 and Title 15, Code of Federal Regulations, Sections 774 and 736.2(b)(1), all in violation of Title 18, United States Code, Section 554.

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See FED. R. CRIM. P. 32.2]

I.
Smuggling Violations and Forfeiture Statutes
[Title 18 U.S.C. § 554,
subject to forfeiture pursuant to Title 19 U.S.C. § 1595a(d),
made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c).]

As a result of the foregoing criminal violation set forth in Count One, the United States of America gives notice to the Defendant of its intent to seek the forfeiture of the property, including the items listed below, upon conviction and as a part of sentence pursuant to FED. R. CRIM. P. 32.2 and Title 19 U.S.C. § 1595a(d), made applicable to criminal forfeiture pursuant to Title 28 U.S.C. § 2461(c), which states the following:

Title 19 U.S.C. § 1595a. Aiding unlawful importation
(d) Merchandise exported contrary to law

Merchandise exported or sent from the United States or attempted to be exported or sent from the United States contrary to law, or the proceeds or value thereof, and property used to facilitate the exporting or sending of such merchandise, the attempted exporting or sending of such merchandise, or the receipt, purchase, transportation, concealment, or sale of such merchandise prior to exportation shall be seized and forfeited to the United States.

This Notice of Demand for Forfeiture includes but is not limited to the following.

1. Century Arms WASR 10 AK-47 (S/N: A198535),
2. Radom Hell Pup AK-47 (S/N: PAC23PL17059),
3. WASR 10 AK-47 (S/N: 1971CR3705),
4. Riley Defense RAK47 AK-47 (S/N: B54883),
5. Zastava Arms Zpapmo AK-47: (S/N: 1Z70122144),
6. Century Arms VSKA AK-47 (S/N: SV7024583),
7. Smith & Wesson 96A1 Berreta .40 caliber handgun (S/N: A76414M),
8. Riley Defense RAK47 AK-47 (S/N: B58200),
9. Century Arms VSKA AK-47 (S/N: SV7119799),
10. Riley Defense RAK47 Ak-47 (S/N: B58310),
11. Inter Arms AKM AK-47 (S/N: PAC1160183),
12. Beretta 92FS 9-millimeter handgun (S/N: BER847693),
13. Beretta 92x 9-millimeter handgun (S/N: 92x0083113),
14. Century Arms VSKA rifle (S/N: A1-96426),
15. Palmetto State Armory PSAK47 AK-47 (S/N: AKB085863),
16. Century Arms VSKA rifle (S/N: SV7100459),
17. Century Arms VSKA rifle (S/N: SV7086554),
18. GSG MP40 9-millimeter handgun (S/N: A984271)
19. Texas Weapons Systems NDS-1 rifle (S/N: F012465),
20. Soviet Arms SA-47 rifle (S/N: SA47008001),
21. Browning Challenger III .22LR caliber pistol (S/N: 655pw02748),
22. Winchester Hunter .243 caliber rifle (S/N: 61-06-042813-18),
23. American Tactical 1911 .45 caliber handgun (S/N: ML115084),
24. Keltec P17 .22LR caliber handgun (S/N: 23G4536),
25. Silber Eagle RZ17 12-gauge shotgun (S/N: 19P1091);
26. Keltec PMR 30 .22LR caliber handgun (S/N: WwS34); and,
27. any related ammunition and firearm accessories.

A TRUE BILL.

FOREPERSON

JAIME ESPARZA

United States Attorney

By:  For

ZACHARY D. BIRD

Assistant United States Attorney